

House Study Bill 154 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

A BILL FOR

1 An Act relating to the appointment of a guardian ad litem in an
2 adoption proceeding.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 600.5, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 13. If a guardian ad litem for the minor
4 person to be adopted has not already been appointed and is not
5 identified under subsection 4, any request and reasons for such
6 an appointment.

7 Sec. 2. NEW SECTION. **600.10A Appointment of guardian ad**
8 **litem.**

9 If a guardian ad litem has not been appointed and is not
10 identified in the adoption petition, but a request for such
11 appointment was included in the adoption petition pursuant to
12 section 600.5, prior to ordering a hearing on the adoption
13 petition, the court shall make a determination of the need for
14 a guardian ad litem for the minor person to be adopted and
15 shall, in writing, either appoint or waive the appointment of a
16 guardian ad litem for purposes of the adoption proceeding in
17 the order setting the adoption hearing.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill relates to the appointment of a guardian ad
22 litem for a minor person in an adoption proceeding. The bill
23 requires that the adoption petition include that if a guardian
24 ad litem for the minor person to be adopted has not already
25 been appointed and is not identified in the adoption petition,
26 the adoption petition shall include any request and reasons for
27 such appointment. The bill also provides that if a guardian
28 ad litem has not been appointed and is not identified in the
29 adoption petition, but a request for such appointment was
30 included in the adoption petition, prior to ordering a hearing
31 on the adoption petition, the court shall make a determination
32 of the need for a guardian ad litem for the minor person to
33 be adopted and shall, in writing, either appoint or waive the
34 appointment of a guardian ad litem for purposes of the adoption
35 proceeding in the order setting the adoption hearing.